

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Robert White,

Plaintiff,

Case No. 24-cv-10513

v.

Judith E. Levy

United States District Judge

Ford Motor Company,

Mag. Judge Elizabeth A. Stafford

Defendant.

_____/

ORDER DISMISSING CASE WITHOUT PREJUDICE

Defendant Ford Motor Company removed this case from state court on February 28, 2024. (ECF No. 1.) On March 6, 2024, Defendant filed an answer to the complaint. (ECF No. 4.) On March 7, 2024, the Court issued a text-only order directing the parties to submit a joint discovery plan by April 4, 2024. A motion to withdraw was then filed by the Batey Law Firm, PLLC and Scott P. Batey, who represented Plaintiff Robert White at the time. (ECF No. 5.)

On March 12, 2024, the Court granted Plaintiff's counsel's motion to withdraw. (ECF No. 7.) In its order granting the motion, the Court stated:

Within forty-five days of the entry of this Order, Plaintiff must indicate to the Court whether he (a) has retained new counsel by having a lawyer file an appearance on his behalf or (b) elects to represent himself. If Plaintiff does not contact the Court within forty-five days, the Court will presume that Plaintiff no longer wishes to pursue his case, and the Court will dismiss the case with prejudice.

The Court will stay the case for forty-five days to give Plaintiff an opportunity to obtain new counsel. When Plaintiff determines how he would like to proceed, the Court will set a new deadline for the parties to file a joint discovery plan.

(*Id.* at PageID.60.)

It has now been more than forty-five days since the Court issued its order on March 12, 2024. The deadline for Plaintiff to respond to the Court's order has elapsed, and the Court has not received any communication from Plaintiff. Plaintiff has not updated the Court on the status of his representation, asked for more time to respond, or requested an extension of the duration of the stay. The Court previously warned Plaintiff about the possibility of dismissal if he failed to contact the Court within the specified time frame. In light of Plaintiff's non-compliance with the Court's order—as well as the current posture of the case—the Court finds it appropriate to dismiss the case without prejudice. *See Fed.*

R. Civ. P. 41(b); E.D. Mich. LR 41.2; *Bay Corrugated Container, Inc. v. Gould, Inc.*, 609 F. App'x 832, 835 (6th Cir. 2015).

Accordingly, the case is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Dated: May 23, 2024
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 23, 2024.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager